

1634

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Todd R. Golub, Pablo Tamayo, Margaret Shipp, Eric S. Lander and Jon C. Aster

Application No.: 09/989,758 Group Art Unit: 1634

Filed: November 20, 2001 Examiner: D. Gunter

Confirmation No.: 9648

Title: Diffuse Large Cell Lymphoma Diagnosis and Outcome Prediction by Expression Analysis

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>10/2/02</u>	<u>Wendy Morrissey</u>
Date	Signature
<u>Wendy Morrissey</u>	
Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

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Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references are enclosed.
 - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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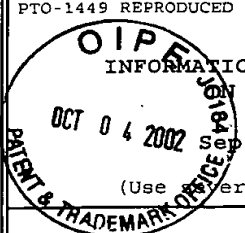
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Dated: 10-2-02

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PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 2825.2024-002		APPLICATION NO. 09/989,758				
 <p>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</p> <p>September 19, 2002</p> <p>(Use several sheets if necessary)</p>		APPLICANT Todd R. Golub, et al.						
		FILING DATE November 20, 2001		CONFIRMATION NO. 9648		GROUP 1634		
U.S. PATENT DOCUMENTS								
EXAM- INER INI- TIAL		DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE		NAME			
	AA	5,556,752	09/17/96		Lockhart, et al.			
	AB	5,631,734	05/20/97		Stern, et al.			
	AC	5,733,729	03/31/98		Lipshutz, et al.			
	AD	5,770,456	06/23/98		Holmes			
	AE	5,770,722	06/23/98		Lockhart, et al.			
	AF	5,834,758	11/10/98		Trulson, et al.			
	AG	5,837,832	11/17/98		Chee, et al.			
	AH	5,843,655	12/01/98		McGall			
	AI	5,856,174	01/05/99		Lipshutz, et al.			
	AJ	5,858,659	01/12/99		Sapolsky, et al.			
	AK	5,861,242	01/19/99		Chee, et al.			
	AA2	5,874,219	02/23/99		Rava, et al.			
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AL	WO 95/11995	04-MAY-95	PCT				
	AM							
	AN							
	AO							
	AP							
	AQ							
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
	AR	Tamayo, P. et al., "Interpreting Patterns of Gene Expression with Self-organizing Maps: Methods and Application to Hematopoietic Differentiation," Proc. Natl. Acad. Sci. USA, 96:2907-2912, (1999).						
	AS	<div style="text-align: right;"> RECEIVED OCT 08 2002 TECH CENTER 1600/2900 </div>						
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EXAMINER				DATE CONSIDERED				